

# SIKKIM



## GOVERNMENT

## GAZETTE

**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

Gangtok

Monday 10<sup>th</sup> July, 2017

No. 305

**GOVERNMENT OF SIKKIM  
DEPARTMENT OF PERSONNEL ADMINISTRATIVE REFORMS,  
TRAINING AND PUBLIC GRIEVANCES  
GANGTOK – 737101**

e-mail: gos.dopart@gmail.com

Fax No. 03592 – 201239 / 201163

No.58 /GEN/DOP

Dated:08/07/2017.

### NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Sikkim hereby makes the following rules, namely:-

#### 1. Short title and commencement:-

- (1) These rules may be called the **Sikkim Sub-ordinate Panchayati Raj Development Service Rules, 2017**
- (2) They shall come into force on the date of their publication in the Official Gazette.

#### 2. Definition: In these rules, unless the context otherwise requires:-

- (a) “**appointed day**” means the date, from which the provisions of these rules shall come into force;
- (b) “**Appointing Authority**” means the Secretary, Rural Management & Development Department;
- (c) “**Commission**” means the Sikkim Public Service Commission;
- (d) “**Committee**” means the Selection Committee constituted under rule 9 for the purpose of these rules;
- (e) “**Controlling Authority**” means the Government in the Rural Management and Development Department;
- (f) “**Day**” means a calendar day beginning and ending at midnight;
- (g) “**Government**” means the Government of Sikkim;
- (h) “**Governor**” means the Governor of Sikkim;
- (i) “**Member of the service**” means a member of the Sikkim Sub-ordinate Panchayati Raj Development Service ;

- (j) **"Schedule"** means the Schedule appended to these rules;
- (k) **"Service"** means the Sikkim Sub-ordinate Panchayati Raj Development Service;
- (l) **"State"** means the State of Sikkim;
- (m) **"Year"** means 12 (twelve) months reckoned according to the English Calendar".

**(3) Constitution of Service:** There shall be constituted a service to be called the Sikkim Sub-ordinate Panchayati Raj Development Service consisting of persons appointed to the service according to these rules.'

**4. Strength and Composition of Service:**

- (1) The strength of the service shall be as determined by the Government from time to time
- (2) On the appointed day, the strength and composition of the service shall be as shown in the Schedule

**5. Pay Band and Grade Pay:-**

- (1) The Pay Band and Grade Pay admissible to the members of the service shall be as determined by the Government from time to time
- (2) On the appointed day , the Pay Band and the Grade Pay prescribed for the Cadre Posts in different Grades shall be as shown in Column 4 of the Schedule

**6. Member of Service:-**

- (1) The following categories of persons shall be the members of the service, namely:-
  - (a) Persons appointed at the initial constitution of the service under rule 8.
  - (b) Persons appointed to the service after the appointed day.
- (2) A persons appointed under clause (a) of sub-rule (1), on such appointment, shall be deemed to be a member of the service in the appropriate grade applicable to him.

**7. Appointments and postings:-**

- (1) All appointments, after the appointed day, to a post shall be made by the Appointing Authority by one or other methods specified in the Schedule.
- (2) Notwithstanding anything contained in sub-rule (1), the Government may fill up any cadre post by officials from other Departments of the Government on deputation:  
Provided that the official concerned possesses the minimum educational qualification and other eligibility conditions prescribed for appointment to the said post.  
Provided further that the maximum period of deputation shall not, in any case, exceed 5 (five) years.

**8. Appointment at the initial constitution of the Service:-**

All persons holding, on the appointed day, posts included in the schedule on regular basis, otherwise than on purely temporary arrangement or on contract or on deputation from other Departments of the Government, shall be deemed to have been appointed to the corresponding post.

**9. Recruitment by Competitive examination:-**

- (1) There shall be constituted a Selection Committee consisting of the following namely:-
  - (a) Special Secretary/Additional Secretary, Rural Management & Development Department.
  - (b) Director (Panchayat), Rural Management & Development Department.
  - (c) Joint Secretary, Department of Personnel. AR & Training,
  - (d) Joint Secretary, Finance, Revenue & Expenditure Department.
- (2) Whenever any vacancy of Cadre in Grade III arises, the Controlling Authority shall advertise the vacancy by publishing the advertisement in at least 3 (three) local newspapers for a minimum of 3 (three) consecutive issues with a view to give wide publicity.
- (3) The written examination as well as viva-voce shall be held by the Selection Committee in accordance with the rules and the syllabus of the examination laid down by the Government, from time to time.
- (4) The Selection Committee shall prepare the final merit list of the candidates with due reference to the rules of reservation of the post and submit its recommendation to the Controlling Authority of the service.
- (5) The Controlling Authority shall cause to process the case in accordance with the procedure laid down by general orders issued by the Government and obtain the approval of the Competent Authority before the orders are issued.

**10. Promotion from one grade to another higher Grade:-**

- (1) The Selection Committee constituted under rule 9 or the Selection Committee constituted by the Government by general orders, as the case may be, depending on the Grade to which promotion is to be made, shall be the competent Selection Committee to consider the case of the eligible candidate for promotion.
- (2) The controlling authority shall cause to prepare and forward to the Selection Committee a list of eligible candidates in order of seniority who have completed the required length of service on the first day of the year in which the meeting of the Selection Committee is held. Along with the list, annual confidential reports and service records of last 5(five) years shall also be forwarded to the Selection Committee.
- (3) The Chairperson of the Selection Committee after satisfying itself that all the required information and documents are complete in all respect are received by it, shall convene the meeting of the Selection Committee.
- (4) The Selection Committee shall prepare the final merit list on the basis of overall relative assessment of the Annual Confidential Reports and Service Records and performance of the candidates in the interview, if held, and forward the said list to the Controlling Authority along with all the documents received by it.
- (5) The controlling authority shall cause to process the case in accordance with the procedure laid down by general orders issued by the Government and obtain the approval of the competent authority before the orders are issued.
- (6) The promotion shall be made in the same order in which their names are arranged by the Selection Committee unless there is sufficient ground for the Competent Authority

to differ with the recommendation of the Selection Committee and such grounds shall be recorded in writing.

**11. Probation and training:-**

- (1) Every person recruited to the service by competitive examination shall be appointed on probation for a period of 2(two) years.
- (2) The Appointing Authority may, if it so thinks fit in any case or class of cases, extend the period of probation for a period not exceeding 2(two) years for reasons to be recorded in writing.
- (3) A member of service on probation shall, on appointment to the service, undergo such training as may be decided by the Government. Successful completion of the training shall be the pre-condition for crossing the period of probation.
- (4) If, in the opinion of the Appointing Authority, the performance of a member of the service during the period of probation initially fixed for and subsequently extended is not found to be satisfactory, the Appointing Authority may discharge the member of the service from service without assigning any reason for such discharge.

**12. Seniority:-**

- (1) The inter-se seniority of persons appointed to the service at its initial constitution under rule 8 shall be the same as it existed on the eve of the appointed day:

Provided that if inter-se seniority of any of the person so appointed has not been determined before the appointed day, the same shall be determined on the basis of the date of appointment or promotion to the post held on the eve of the appointed day:

Provided further that where the date of initial appointment to the lowest Grade of the Cadre and the date of promotion from one grade to another may also be the same, the inter-se seniority shall be determined with reference to-

- (a) the respective educational qualification, person with higher qualification being considered senior, and
  - (b) If the educational qualification also happens to be equal, with reference to the date of birth, the older person being then considered senior to the younger.
- (2) (a) While making selection from direct recruitment, the authority concerned while making recommendations shall arrange the names of the selected candidates in the order of merit assigned to them. If all the candidates join duty or training courses, as the case may be, within the time limits prescribed, inter-se seniority will be fixed in the same order in which their names are placed at the time of selection. Extension of the period of training or probation in any individual case by the Government shall not affect the inter-se seniority.
  - (3) If any selected candidate fails to join duty or training courses, as the case may be, within the time limit prescribed, and the reason therefore is not such as receives the sanction of the Appointing Authority for condonation of delay, he is liable to forfeit all claims to inter-se seniority, and his seniority shall be counted from the date of his joining duty for training course. If the delay is condoned by the Appointing Authority, the inter-se seniority shall remain unaffected.

**13. Administrative control:-**

- (1) The control over the service including appointment, transfer and deputation shall vest in the Government in the Secretary, Rural Management and Development Department, Government of Sikkim.
- (2) The headquarters of the member of service shall not be changed without prior approval of the controlling authority.

**14. Residuary matters:** All other matters in relation to the service not specified or for which no provision has been made in these rules shall be regulated by the rules and orders applicable to other official of the Government of the equivalent status.

**15. Interpretation:-** If any question arises as to the interpretation of these rules, the decision of the Government thereon shall be final.

**16. Repeal and savings:-** On and from the date of commencement of these rules, all rules and orders or Notification which are inconsistent with the provisions of these rules shall stand repealed:

Provided that such repeal shall not affect the previous operation of the said rules or orders or Notification, or anything done or any action taken there under.

**17. Power to relax:-** Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons or posts.

**By order and in the name of the Governor.**

**JOINT SECRETARY TO THE GOVERNMENT OF SIKKIM  
DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS,  
TRAINING AND PUBLIC GRIEVANCES.**

**SCHEDULE**  
**SANCTION STRENGTH, METHOD OF RECRUITMENT AND ELIGIBILITY CONDITIONS**

Sl. No.	Name of Post	Classification	Pay Band & Grade Pay	Sanctioned Strength	Method of Recruitment	Age limit	Educational qualification	Eligibility condition for Promotion	remarks
1	2	3	4	5	6	7	8	9	10
	Junior Village Administrative Assistant	Grade III	PB-I 5200-20200 GP-3000	47	100% by direct recruitment	18-30 years Upper age limit will be relaxed in accordance with the relevant rules of the Government on the subject.	(a) Bachelor's Degree from any recognized University (b) Diploma in Rural Management/ Development from a recognized Institute.	Not applicable	Sikkim Public Service Commission shall be consulted wherever necessary
	Village Administrative Assistant	Grade II	PPB-I 5200-20200 GP-3400	101	100% by promotion through limited Departmental Examination	Not Applicable	Not Applicable	A minimum of 6 (six) years of continuous service as Village Administrative Assistant as on the 1 <sup>st</sup> day of financial year in which DPC holds its meeting to consider the case	
	Senior Village Administrative Assistant	Grade I	PPB-II 9300-34800 GP-3800	38	100% by promotion through limited Departmental Examination	Not Applicable	Not Applicable	A minimum of 6 (six) years of continuous service as Village Administrative Assistant as on the 1 <sup>st</sup> day of financial year in which DPC holds its meeting to consider the case	Sikkim Public Service Commission shall be consulted wherever necessary